

absences from scheduled classes, the Warden shall have the authority to grant a waiver from further program participation. This waiver may be granted when it is determined that the inmate will not benefit from further instruction. Each exemption determination shall be made on an individual basis and shall be supported by documentation.

[59 FR 14724, Mar. 29, 1994, as amended at 62 FR 39916, July 24, 1997]

§ 544.43 Incentives.

The Warden or designee shall establish a system of incentives to encourage an inmate to meet the mandatory ESL program requirements.

§ 544.44 Disciplinary action.

As with any other mandatory programs, such as work assignments, staff may take disciplinary action against an inmate when that inmate refuses to enroll and participate in, or to meet the minimum requirements of the mandatory ESL program.

Subpart F—Occupational Education Programs

SOURCE: 53 FR 10204, Mar. 29, 1988, unless otherwise noted.

§ 544.50 Purpose and scope.

Each Bureau of Prisons institution provides occupational education programs which allow interested inmates the opportunity to obtain marketable skills.

§ 544.51 Types of occupational education programs.

Occupational education programs include the following:

- (a) *Pre-industrial training.* Entry level skills training for employment in prison industries.
- (b) *Vocational training.* Instruction in specific entry-level or advanced skills.
- (c) *On-the-job-training.* Organized instruction and training under actual working conditions, either in the performance of a service through institution maintenance or in Federal Prison Industries, Inc. (UNICOR).
- (d) *Apprentice training.* Training through structured apprenticeship pro-

grams approved at the state and national levels by the Bureau of Apprenticeship and Training, U.S. Department of Labor.

§ 544.52 Vocational training.

Vocational training programs will be combined, where opportunities exist, with pre-industrial programs of the same general skill area, and with "live work" provided by UNICOR. Similar cooperative training efforts, to include "live work," shall also be developed for nonindustrial areas.

(a) "Live work" is to be included within each vocational education program. As used in this rule, the term *live work* refers to a product or service produced by the student for actual use by the institution, UNICOR, or another agency. It is characterized by a specific end-product or service goal, as opposed to repetitive classroom work done for training purposes.

(b) The provisions of this rule apply to all vocational education programs, regardless of funding source, except:

(1) Programs granted an exception by the Regional Director; and

(2) Vocational assessment programs.

(c) Vocational training programs shall be combined with pre-industrial training programs offering similar or related training.

§ 544.53 On-the-job-training.

On-the-job-training (OJT) provides a marketable skill through the use of institution resources and facilities with a potential for training inmates in various trades and occupations. The programs are distinctly separate and apart from formalized vocational training programs and approved apprenticeship programs. Completion of OJT does not preclude future placement of an inmate in a formal vocational training program or approved apprenticeship program. To the extent practicable, OJT content is to parallel the standards required for registered apprenticeship programs by the Bureau of Apprenticeship and Training, U.S. Department of Labor.

§ 544.54 Apprentice training.

Apprentice training provides an inmate the opportunity to participate in training which prepares the inmate for